

**MINUTES
LAKE CHARTER TOWNSHIP
BOARD MEETING
April 17, 2006
7:00 p.m.**

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to Order by Supervisor John Gast at 7:00 p.m. The meeting opened with the Pledge of Allegiance to the Flag.

ROLL CALL

Clerk Payne called the roll. Board members present were John Gast, Supervisor; Gloria Payne, Clerk; Betty Korcek, Treasurer; Terry Eichler, Trustee; William "Bill" Geukes, Trustee and Trustee Tom Carson. Twenty-two visitors were present in the audience.

APPROVAL OF AGENDA & AGENDA AMENDMENTS

The agenda was approved as presented.

APPROVAL OF MINUTES

It was moved by Korcek seconded by Eichler to approve the Minutes of the March 20, 2006 Board meeting. Six ayes, motion carried.

PUBLIC COMMENT

Supervisor Gast introduced Scott MacMartin, a candidate running for the Bridgman Public School Board, he asked for support in the upcoming May 2, 2006 election.

Supervisor Gast introduced John Proos, State Representative for the 79th District, he reported the State of Michigan ranks 48th in the high unemployment rate. Therefore, legislation is in process, two years early, to eliminate the Single Business Tax.

APPROVAL OF BILLS

It was moved by Geukes seconded by Carson to approve the March 2006 bills totaling \$262,328.27. Six ayes, motion carried.

COMMUNICATIONS/CORRESPONDENCE PACKET

The following information was included in board members packets: MTA Faxes; Lake Township Water Filtration Plant monthly report; Lake Charter Township Planning Commission meeting minutes; Galien River Sanitary Sewer Authority Agenda, meeting minutes, month payables, operations reports, maintenance report and a letter from Jones & Henry regarding the south Interceptor Capacity. Medic I agenda, meeting minutes and annual report; Lake Charter Township Board and Planning Commission joint meeting minutes; City of Bridgman/Lake Charter Township Growth Alliance meeting minutes; 911 agenda and meeting minutes; Bridgman Public Library meeting minutes. Addendum #2 to the Rubbish and Garbage Disposal Agreement.

Memorandum and copy of check from 5/3rd Bank for reimbursement of unfair interest rates for the 2004-tax year. Lake Charter Township fund balances. A facsimile from Melrose Pyrotechnics, Inc., with insurance certificate notifying Lake Charter Township of a fireworks display at Lost Dunes Golf Club.

REPORTS

Supervisor's Report

Supervisor Gast reported as follows:

- a. Attended Board of Review final meeting;
- b. Attended Galien River Sanitary District Authority meeting;
- c. Attended Medic I Board meeting;
- d. Attended Master Plan Update joint meeting;
- e. Attended Utility Board meeting;
- f. Attended Growth Alliance meeting;
- g. Attended Wine Trail meeting;
- h. Attended Library Board meeting.

Clerk's Report

Clerk Payne reported as follows:

- a. Attended Master Plan Update joint meeting;
- b. Attended Growth Alliance Meeting;
- c. Participated in the Berrien County Board of Canvasser's Ballot Can Inspection;

Clerk Payne reported the ballots for the Bridgman Public Schools election are in and those voting absentee may acquire them. The election is scheduled for May 2, 2006. The polls are open from 7:00 a.m. – 8:00 p.m.

Treasurer's Report

Treasurer Korcek reported as follows:

- a. Attended Growth Alliance meeting;
- b. Attended Utility Board meeting.

Treasurer Korcek reported that she had settled with Berrien County on the 2005 Summer Taxes. Further, investment rates are improving.

Planning Commission Report

Trustee Geukes reported the Planning Commission approved the placement of a developer's sign on Browntown Road. The sign is temporary and will be removed once all the lots are sold.

Water Superintendent's Report

Water Superintendent Beach reported water pumpage is up by 20%. The pilot unit is shut down. Three cribs were inspected and zebra mussels were found and removed. Irrigation accounts have been turned on. A flow test is scheduled for Friday, April 21, 2006.

GRSD Sewer Authority Report

Supervisor Gast reported Lake Township had installed new contact points on motor starter at Lift Station #35. Rodded lateral at 8663 Date Road, replaced float and repaired level control system at Lift Station #42. Troubleshoot and replace motor starter, side switch and float at Lift Station #42.

Police Department

Trustee Eichler reported no meeting was held.

Fire Department/Fire Chief

Trustee Eichler reported no meeting was held. Chief Heyn reported 14 calls were dispatched in the month of March, seven medical, five fire and 2 canceled.

Park Report

Loren Berndt reported the professional exterminating of the moles at the Park has begun. Trees have been ordered. The seed that was sown is patchy. There are approximately 300 children signed up for soccer and the permanent soccer goals have been removed and mobile ones are being used.

Library Report

Lillian Svitil reported the bonding agency had been out to inspect the roof and it will be thirty days before a report can be obtained as to what action to take. A 40th Anniversary Celebration is scheduled for some time in July/August 2006.

Cemetery Committee Report

Clerk Payne reported four burials were held in the month of March. The clearing of the trees/brush burning has been finalized. The purchase of the trees and bushes for landscaping around the columbarium have been ordered. Further, sod for the graves also has been obtained. The concrete barriers will be resituated soon.

AGENDA ITEMS

Tax Abatement Request of Appollo Seiko

Supervisor Gast introduced Sharon Witt Tyler of Berrien County Manufacturers Council. She reported that Kenneth J. Schiffer of Appollo Seiko is requesting Establishment of an Industrial Development District for the property located at Lemon Creek Road, Property Tax No. 11-11-0008-0038-12-1. It was moved by Payne seconded by Carson to set the Public Hearing for May 15, 2006 at 7:00 p.m. to establish an Industrial Development District. Six ayes, motion carried.

It was moved by Carson seconded by Eichler to set the public hearing to grant an Industrial Facilities Exemption Certificate for Appollo Sieko, LTD., for May 15, 2006 at 7:00 p.m. The company is a technology-based manufacturer that specializes in automated point soldering systems. The Company plans to expand their current machine shop and assembly area on Lemon Creek Road. The exemption is sought for an approximately 5,000 to 6,000 square foot new building \$509,000.00. The Company plans to purchase machinery, equipment, furniture and fixtures \$307,000.00. For a total project cost of \$816,000.00. Six ayes, motion carried.

GIS Updated Overlay Maps

Supervisor Gast reported that in 1996 digital aerial photographs were purchased from Berrien County's GIS for Lake Charter Township. New aerials were completed for the Entire County last year. These are now available for purchase and can be incorporated into our current GIS mapping for \$10.00 per tile, totaling \$1,160.00. It was moved by Payne seconded by Geukes to purchase updated GIS tiles from Berrien County's GIS for \$1,160.00. Six ayes, motion carried.

Water Rate Adjustment

Supervisor Gast reported that the Tom Traciak of ACI Finance finalized the figures of the water/sewer rate study. The sewer rates will remain the same. The water rates have not been altered since 1992 and Lake Charter Township is in the lowest 2 percentile in the State for water rates. It is proposed that water rates be increased from \$10.00 per quarter to \$13.00 per quarter. It was moved by Geukes seconded by Eichler to increase the Lake Charter Township water rates from \$10.00 per quarter to \$13.00 per quarter. Roll call vote: Six yes. Motion carried.

Tower Hill Road Painterville Creek Bridge at Warren Dunes State Park

Supervisor Gast reported in May 2005, Warren Dunes State Park removed the footbridge over Painterville Creek. Tower Hill Road, is a public road under the Berrien County Road Commission. Tower Hill campers and local community residents have walked into Painterville Creek and followed it to access Tower Hill Beach. Community members circulated petitions to encourage Warren Dunes State Park to rebuild the footbridge.

State legislators were informed of the need for the footbridge replacement. The Department of Natural Resources responded with serious concerns over drastic budget reductions from the state.

In January 2006 a survey map obtained from Tower Hill Camp clearly delineates a public roadway leading directly to the Lake Michigan shoreline.

In January 2006 Warren Dunes State Park erected a chain link fence blocking access to Tower Hill Beach.

Warren Dunes State Park and the Department of Natural Resources are informed that the Berrien County Road Commission performed a formal road survey of the area of concern and marked the 66-foot wide public roadway leading to the shoreline of Lake Michigan.

The Berrien County Road Commission clearly stated that the old footbridge was directly within the boundaries of the public roadway. The chain link fence stands directly in that public roadway.

The Berrien County Road Commission clearly states that Tower Hill Camp and the public have a right to use the roadway for foot traffic to the lakeshore and a bridge in necessary for safe passage.

Supervisor Gast merely brought board members attention to this matter and will keep the board informed on this issue as to future developments. There likely will be a cost-sharing request the Township may or may not become involved in.

Appointment to Vacant Trustee Position

Supervisor Gast explained and outlined the process that is necessary to appoint a candidate to the vacant Trustee position. The Lake Charter Township Board must appoint an individual to the vacant Trustee's position and then the position is placed on the ballot in the August primary. The individual receiving the most votes in that election is then placed on the November general ballot, and then will be elected to the vacant Trustee position. The person who is appointed tonight, may not necessarily be elected to the position.

Supervisor Gast asked for each candidate that applied for the position to limit his or her presentation to five minutes. It was moved by Korcek seconded by Geukes to allow each candidate for the Trustee position that applied be limited to five minutes for their presentation. Six ayes, motion carried.

Supervisor Gast further asked that those that are not appointed, not take it personally, the candidate should and will be elected by the people. Due to the untimely death of Trustee Fritz Wolf and according to the laws, an appointment by the Township Board is necessary, with an election to follow.

Supervisor Gast indicated that he had office staff place the resumes/applications in no particular order and began the process with presentations by Loren W. Berndt, David R. Kunde, James R. Stine, Jr., Christian Schmidt, Darwin Krieger, Brad Reitz, Lillian Svitil and Dale Sorget.

Each candidate told of their experiences and why they wanted to serve as a Trustee, whether they were available for noon meetings and special meetings, whether they were for rapid growth of the Township or controlled growth and whether they had computer literacy skills.

It was moved by Gast seconded by Payne to appoint Brad Reitz to the vacant Trustee's position. Roll call vote: Gast yes; Payne yes; Korcek no; Carson no; Eichler no; Geukes yes. This motion is a tie vote. A tie vote is a no vote. Motion defeated.

It was moved by Geukes seconded by Payne to appoint Dale Sorget to the vacant Trustee's position. Roll call vote: Gast yes; Payne yes; Korcek no; Carson no; Eichler no; Geukes yes. This motion is a tie vote. A tie vote is a no vote. Motion defeated.

It was moved by Carson seconded by Eichler to appoint David R. Kunde to the vacant Trustee's position. Roll call vote: Gast no; Payne no; Korcek no; Carson yes; Eichler yes; Geukes no. Four no, two yes. Motion defeated.

It was moved by Payne seconded by Gast to appoint James R. Stine Jr., to the vacant Trustee's position. Roll call vote: Gast yes; Payne yes; Korcek yes; Carson no; Eichler yes; Geukes yes. Motion carried.

PUBLIC COMMENT

Loren Berndt congratulated James R. Stine, Jr., on the appointment as Trustee.

Mike Jasper asked why sidewalks have not been constructed in the Woodridge Estates, Glen Carlson's subdivision. Supervisor Gast responded that this is a policy that the board adopted and not an enforceable ordinance.

Lillian Svitil suggested that the newly constructed intersection of California and Browntown Road be a four-way stop. There are more accidents at this intersection than before it was redesigned.

Trustee Carson commented that Lake Charter Township Fire personnel should be informed of the fireworks that are going to be displayed at Lost Dunes Golf Club. Supervisor Gast indicated he had placed a copy of the letter and the insurance certificate in Fire Chief Harold Heyn's Township mailbox.

ANNOUNCEMENTS

The next regular meeting is scheduled for May 15, 2006 at 7:00 p.m., Lake Township Hall, Bridgman, Michigan.

Lake Charter Township Planning Commission is scheduled for May 8, 2006 at 7:00 p.m., Lake Charter Township Hall, Bridgman, Michigan.

Lake Charter Township Master Plan Update joint meeting is April 24, 2006 at 7:00 p.m., Lake Charter Township Hall, Bridgman, Michigan.

Lake Charter Township Zoning Board of Appeals is scheduled for May 11, 2006 at 7:00 p.m., Lake Charter Township Hall, Bridgman, Michigan.

Master Plan Visioning Session is scheduled for May 15, 2006 from 9:00 a.m. – 12:00 Noon.

ADJOURNMENT

With no further objection and no further business it was moved by Carson seconded by Geukes to adjourn the meeting. Six ayes. Motion carried. Meeting adjourned at 8:42 p.m.

Dated: _____

Gloria A. Payne, Clerk

Dated: _____

John Gast, Supervisor